

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

THOMAS PAUL WILLIAMS,
Plaintiff,

v.

JOSEPH LEHMAN, *et al*,
Defendants.

Case No. C05-5208RBL

ORDER DENYING PLAINTIFF'S
MOTION FOR STAY

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the court on plaintiff's filing of a motion for stay. (Dkt. #23). After reviewing plaintiff's motion and the remaining record, the undersigned hereby finds and orders as follows:

On August 26, 2005, defendants filed a motion for summary judgment in this case, arguing that plaintiff's complaint should be dismissed with prejudiced because it is barred by the running of the statute of limitations. (Dkt. #22). The undersigned has issued a Report and Recommendation, dated the same date herewith, recommending that the court grant defendants' motion.

Instead of responding to defendant's motion, plaintiff filed this motion for stay. Plaintiff requests a stay on the basis that one or more other cases filed with this court currently are on appeal to the Ninth Circuit regarding the statute of limitations issue. Plaintiff, however, has failed to show why the mere fact

1 that there are other cases to which he is not a party currently on appeal warrants a stay in this matter,
2 especially in light of the fact that he provided no response to the arguments set forth in defendants' motion
3 for summary judgment. As such, plaintiff's motion for stay (Dkt. #23) hereby is DENIED.

4 The clerk is directed to send a copy of this Order to plaintiff and to counsel for defendants.

5 DATED this 27th day of October, 2005.

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9 Karen L. Strombom
10 United States Magistrate Judge
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